

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROBERT G. LOPEZ,

Plaintiff,

20 CIVIL 905 (PGG) (JLC)

-against-

JUDGMENT

NIKE, INC., et al.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated February 16, 2021, this Court adopts the R&R in its entirety; Accordingly, Plaintiff's Lanham Act claims, and trademark infringement and unfair competition claims under New York law, are dismissed pursuant to Fed. R. Civ. P. 12(b)(6). Plaintiff's unjust enrichment claim is dismissed as withdrawn. (See Pltf. Br. (Dkt. No. 62) at 8; R&R (Dkt. No. 111) at 3 n.2) Plaintiff's request for leave to file a second amended complaint is denied; This Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

Dated: New York, New York

February 17, 2021

RUBY J. KRAJICK

BY:

Clerk of Court

Deputy Clerk

